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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

JESSIE VENURA ORTIZ,

Defendant and Appellant.

D074933

(Super. Ct. No. RIF1206343)

APPEAL from a judgment of the Superior Court of Riverside County, Bernard J. Schwartz, Judge. Affirmed.

Steven Schorr, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

This appeal follows a resentencing after this court reversed several counts, ordered several allegations dismissed but otherwise affirmed the judgment. (*People v. Madrigal et. al.*, (June 6, 2018, D073126) [nonpub. opn.].)

Jessie Ventura Ortiz was originally convicted of murder (Pen. Code<sup>1</sup> § 187, subd. (a); count 1), attempted, premeditated murder (§§ 664 and 187; count 2), discharging a firearm into an inhabited dwelling (§ 246; count 3), animal cruelty (§ 597, subd. (a); count 4), and two counts of active participation in a street gang (§ 186.22 subd. (a); counts 5 and 6). True findings were also made on allegations of firearm use (§ 12022.53, subd. (d)) and gang enhancements (§ 186.22, subd. (b)). Two special circumstances under section 190.2, subdivision (a)(21), (22) were found true.

Ortiz was originally sentenced to life without parole for count 1, plus 25-years-to-life for the firearm enhancement. In addition, consecutive sentences were imposed on other counts.

On remand from this court, the trial court resentenced Ortiz to life without parole for the murder conviction and remaining special circumstance. It imposed sentences on the remaining counts and the firearm allegation but stayed all of them in light of the life without parole sentence.

Ortiz again filed a timely notice of appeal.

Appellate counsel has filed a brief in accordance with *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), indicating he has not been able to identify any arguable issue for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered Ortiz the opportunity to file his own brief on appeal, but he has not responded.

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise specified.

## DISCUSSION

We have not set forth the facts of the underlying crimes in this opinion as they are fully discussed in our prior opinion and discussion is unnecessary in the procedural posture of this appeal.

As we have noted, counsel has invoked *Wende, supra*, 25 Cal.3d 436 and seeks our review of the record for error. Counsel has not assisted us with any discussion of possible, but not arguable issues consistent with *Anders v. California* (1967) 386 U.S. 738. Our review of the record has not been hampered by omission of "possible issues." Our prior opinion has extensively discussed the case. The resentencing on remand is consistent with our directions and is far more favorable to Ortiz than it could have been had the trial court not stayed all the subordinate sentences.

We have reviewed the entire record as well as our prior opinion in this case. We have not been able to identify any arguable issue for reversal on appeal. Competent counsel has represented Ortiz on this appeal.

DISPOSITION

The judgment is affirmed.

HUFFMAN, J.

WE CONCUR:

McCONNELL, P. J.

DATO, J.